

#4

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : JACKOWSKI et al.

INVENTION: : METHOD FOR DIAGNOSING AND DISTINGUISHING  
TRAUMATIC BRAIN INJURY AND DIAGNOSTIC  
DEVICES FOR USE THEREIN

SERIAL NUMBER : 09/940,698

FILING DATE : August 27, 2001

EXAMINER: : (not assigned yet)

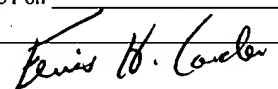
GROUP ART UNIT : 3736

ATTORNEY DOCKET NO. : 2132.022

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CERTIFICATE UNDER 37 CFR 1.8(a)  
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Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO-1449 are hereby brought to the attention of the Examiner for independent evaluation. A copy of each reference is enclosed. The references were cited in the specification and their relevancy is set forth therein.

Applicants submit that the present invention is patentable over these references.

Respectfully Submitted,

Date: 11/14/2001

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**Form PTO-1449**

(Rev. 8-83)

U.S. Department of Commerce  
Patent and Trademark OfficeAtty. Docket No.  
2132.022Serial No.  
09/940,698

## INFORMATION DISCLOSURE CITATION

Applicant  
Jackowski et al.

(Use several sheets if necessary)

JAN 25 2002

Filing Date  
08/27/2001Group  
3736

## U. S. PATENT DOCUMENTS

Examiner Initial		DOCUMENT NUMBER							Date	Name	Class	Subclass	Filing Date if Appropriate
		5	4	8	6	2	0	4	01/23/96	Clifton			
		6	0	9	0	7	7	5	07/18/00	Rothwell et al			
		6	0	9	6	7	3	9	08/01/00	Feuerstein			
		6	0	5	2	6	1	9	04/18/00	John			
		5	5	2	7	8	2	2	06/18/96	Scheiner			
		6	2	3	5	4	8	9	05/22/01	Jackowski			

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## FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation Yes No

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

			Hermann et al., Temporal profile of release of neurobiochemical markers of brain damage after traumatic brain injury is associated with intracranial pathology as demonstrated in cranial computerized tomography, J. Neurotrauma, (2000) 17, 2, pp113-133.
			Rothoerl et al., S-100 serum levels after minor and major head injury, J. Trauma, (1998) 45, 4, pp765-767.
			Hermann et al., Release of biochemical markers of damage to neuronal and glial brain tissue is associated with short and long term neuropsychological outcome after traumatic brain injury, J. Neurol. Neurosurg. Psych., (2001) 70, 1, pp95-100.
			Raabe et al., Correlation of computed tomography findings and serum brain damage markers following severe head injury, Acta. Neurochir. (Wein), (1998) 140, pp787-792.
			Raabe and Seifert, Protein S-100B as a serum marker of brain damage in severe head injury: preliminary results, Neurosurg. Rev., (2000) 23, pp136-138.
			Yamazaki et al., Diagnostic significance of serum neuron-specific enolase and myelin basic protein assay in patients with acute head injury, Surg. Neurol., (1995) 43, pp267-271.

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**Form PTO-1449**

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## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Mao et al., (copy of English Abstract) The value of serum myelin basic protein in assessment of severity of acute closed head trauma (Chinese), Hua Xi Yi Ke Da Xue Bao, <del>COPY OF PAPER</del> 1995, 15, pp135-137. <b>ORIGINALLY FILED</b>
		Thomas et al., Serum myelin basic protein assay in diagnosis and prognosis of patients with head injury, Lancet, (1978) 1, 8056, pp113-115.
		Skogseld et al., Increased serum creatine kinase BB and neuron specific enolase following head injury indicates brain damage, Acta Neurochir (Wein), (1992), 115, pp106-111.
		Fridriksson, et al., Serum neuron-specific enolase as a predictor of intracranial lesions in children with head trauma: A pilot study, Academic Emergency Medicine, (2000), 7, pp816-820.
		Ingebrigtsen, et al., Traumatic brain damage in minor head injury: Relation of serum S-100 protein measurements to magnetic resonance imaging and neurobehavioral outcome, Neurosurgery, (1999) 45, 3, pp468-476.
		Brain Injury Association (excerpt), www.biaus.org
		Center for Disease Control (excerpt), <a href="http://www.cdc.gov/ncipe/dacrrdp/tbi.htm">http://www.cdc.gov/ncipe/dacrrdp/tbi.htm</a>
		National Institute of Health (excerpt), <a href="http://nindsiis2.ninds.nih.gov">http://nindsiis2.ninds.nih.gov</a>

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